

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JESSE COLLINS,

Petitioner,

v.

DERRAL ADAMS, Warden,

Respondent.

CV F 05-00541 OWW DLB HC

ORDER VACATING FINDINGS AND
RECOMMENDATIONS AND GRANTING
PETITIONER'S REQUEST FOR EXTENSION
OF TIME TO SUBMIT IN FORMA PAUPERIS
APPLICATION

[Docs. 4, 5]

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Petitioner filed the instant petition on April 22, 2005. By order of April 28, 2005, the Court directed Petitioner to submit a completed in forma pauperis application or pay the \$5.00 filing fee. Petitioner failed to do either. Therefore, on June 10, 2005, the Court issued Findings and Recommendations recommending that the instant action be dismissed for failure to comply with a court order.

On June 28, 2005, Petitioner filed a request for an extension of time to submit his in forma pauperis application. Good cause having been presented, Petitioner's request for an extension of time is GRANTED.

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Based on the foregoing, it is HEREBY ORDERED that:

1. The Findings and Recommendation of April 22, 2005, are VACATED; and
2. Within thirty (30) days from the date of service of this order, Petitioner shall submit a complete in forma pauperis application or pay the \$5.00 filing fee.

IT IS SO ORDERED.

Dated: July 21, 2005
ah014d

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE